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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/760,219 | 01/21/2004 | Kia Silverbrook | SMA04US | 1368 |
| 24011 7590 03/18/2009 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA | | | | |
| EXAMINER UHLENHAKE, JASON S | | | | |
| ART UNIT 2853 | | PAPER NUMBER | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/760,219

Applicant(s)

SILVERBROOK ET AL.

Examiner

JASON S. UHLENHAKE

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 19-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 19-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 19, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook (U.S. Pub. 2002/0093569) in view of Kato (U.S. Pub. 2004/0263605)

Silverbrook discloses:

- ***regarding claim 1***, a cartridge (504) for a digital photofinishing system (Abstract; Paragraphs 0005-0008) having a digital processor and a printer arranged to receive drive signals from the digital processor (Paragraphs 005, 0061-0065); the cartridge (504) being arranged to be mounted removably in juxtaposition to the printer (Figures 12-13) and comprising a replaceable roll of print media and a replaceable source of printing fluid (548), both of which are arranged to be delivered on demand to the printer (Abstract)
- print media feed means arranged to couple with drive means of the digital photofinishing system (Paragraphs 0040-0041)
- ***regarding claim 21***, wherein the print media feed means include a drive roller and a pinch roller (534, 536), wherein the drive means comprises a drive motor (Paragraphs 0040-0042)

Silverbrook does not disclose expressly the following:

- **regarding claim 1**, an opening arranged to enable a roller of the digital photofinishing system to contact a wound portion of the roll of print media; wherein an unwound portion of the roll of print media is fed through the printer by operation of the roller on the wound portion of the roll of print media and the coupled drive and print media feed means

- **regarding claim 19**, wherein a door is provided in a wall portion of the cartridge and wherein the door is arranged to be opened to expose the wound portion of the roller of print media thereby enabling the roller to engage the wound portion of the roll of print media

Kato discloses:

- **regarding claim 1**, an opening arranged to enable a roller (4) of the digital photofinishing system to contact a wound portion of the roll of print media (100; Paragraph 0034); wherein an unwound portion of the roll of print media is fed through the printer by operation of the roller on the wound portion of the roll of print media and the coupled drive and print media feed means (Figure 3; Paragraphs 0035-0036). The media from the roll of media is fed through the apparatus to perform a printing operation.

- **regarding claim 19**, wherein a door (3) is provided in a wall portion of the cartridge and wherein the door is arranged to be opened to expose the wound portion of the roller of print media thereby enabling the roller to engage the wound portion of the roll of print media (Figure 2; Paragraphs 0030-0034). During loading of the roll of print

media, a cover is opened which allows the roll of print media to be installed and exposed to a paper feeding roller.

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to include the teaching of Kato, into the device of Silverbrook, for the purpose of allowing easy loading of the roll paper and allowing a paper feed roller to be continuously kept in contact with the paper feed roller, even when the roll diameter becomes smaller

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook (U.S. Pub. 2002/0093569) as modified by Kato (U.S. Pub. 2004/0263605) as applied to claim 1 above, and further in view of Driggers (U.S. Pub. 2003/0076397) and Enix (U.S. Pat. 4,904,100)

Silverbrook as modified by Kato discloses:

- ***regarding claim 20***, a roller (4) arranged to engage the roll of print media when the door (3) in the cartridge is open (Kato: Figure 2; Paragraphs 0030-0034),

Silverbrook as modified by Kato does not disclose expressly the following:

- ***regarding claim 20***, a second drive motor arranged to impart rotary drive to the roller; a paper feed drive mechanism which comprises a pivotal carrier, a first drive motor arranged to impart pivotal drive to the pivotal carrier

Driggers discloses:

- ***regarding claim 20***, a paper feed drive mechanism which comprises a pivotal carrier, a first drive motor arranged to impart pivotal drive to the pivotal carrier

(Paragraphs 0029, 0035), for the purpose of selectively engaging the members of the print media

Enix discloses:

- ***regarding claim 20***, a second drive motor (12) arranged to impart rotary drive to the roller (Column 2, Lines 48-61), for the purpose of performing a print media advancing means to move print medium

At the time the invention was made it would have been obvious to a person of ordinary skill in the art to incorporate a pivotal carrier controlled by an electrical motor in order to convey media as taught by Driggers and Enix into the device of Silverbrook as modified by Kato, for the purpose of selectively engaging the members of the print media (Paragraph 0029) and performing a print media advancing means to move print medium

Response to Arguments

Applicant's arguments with respect to claims 1, 19-21 have been considered but are moot in view of the new ground(s) of rejection. Please see the above rejection regarding Silverbrook (U.S. Pub. 2002/0093569) in view of Kato (U.S. Pub. 2004/0263605)

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON S. UHLENHAKE whose telephone number is (571)272-5916. The examiner can normally be reached on Monday-Friday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JASON S UHLENHAKE/
Examiner, Art Unit 2853
March 11, 2009

/Julian D. Huffman/
Primary Examiner, Art Unit 2853